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09/613,123	07/10/2000	William N. Schilit	FXPL-01022US0	8793
23910 7590 12/08/2008 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108				
EXAMINER				
HALIM, SAHERA				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

09/613,123

**Applicant(s)**

SCHILIT ET AL.

**Examiner**

SAHERA HALIM

**Art Unit**

2457

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: 10/22/08
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. This Office Action is responsive to Amendment filed September 24, 2008.
2. Claims 1-8 and 10-14 are pending.
3. Claim 1 has been amended.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,857,102 to Bickmore et al. (hereinafter Bickmore) in view of (<http://www.hpl.hp.com/techreports/2000/HPL-2000-16-pdf>) by Kindberg et al. (hereinafter Kindberg).
6. Regarding claim 1, Bickmore discloses a method for proving data detection from Web content information for a mobile device comprising the steps of (see abstract):  
receiving a URL from a user (col. 13, line 31; the user can request another URL);

accessing a Web page identified by the URL (col. 13, line 28 - 33 and col. 6, line 18 - 29; the system is capable of accessing the web page from a distributed network by URL);

parsing the currently accessed Web page dynamically in real time to identify one or more non-hyperlink Web content data items in the Web page (col. 3, line 64 - 76 and col. 11, line 60 -67; the web document is parsed)

creating one or more link indications that correspond to the one or more non-hyperlink content data items (See Fig. 1, and col. 8, line 16- 21; each section header of the document is converted into a hypertext link) and

displaying to the mobile device the one or more link indications for selection by a user (Fig. 1, the document is transformed into linked subdocuments to be displayed on a device with less display area)

Bickmore does not explicitly disclose each link indication providing a link to a service through a wireless connection form the mobile device, and each service performing a service related to a type of Web content data item, for the Web content data item corresponding to the link indication.

However, Kindberg discloses each link indication providing a link to a service through a wireless connection form the mobile device (pg. 3, 2.1; Veronica's PDA presents her railway station, a shopping district and a cafe as web links), and each service performing a service related to a type of Web content data item, for the Web content data item corresponding to the link indication (see page 3, 2.1; Veronica clicks

on "communicate" link, that telephone rings and the a telephone application pops up on her PDA).

Given the teaching of Bickmore and Kindberg, a person having ordinary skill in the art would have readily recognized the desirability and advantages of combining the web page transformation into linked subsections of Bickmore and the service providing system through links of Kindberg in order to satisfy public demands for more services through mobile devices.

7. Regarding claim 2, Bickmore does not explicitly disclose the method of claim 1, further comprising the steps of providing a user keypad on the mobile device to enable the user to select one of the one or more link indication to be activated; and activating one of the one or more link indications when the user selects the particular one of the one or more link indications. However, Bickmore discloses a PDA to display the converted webpage. It is well known in the art that a PDA has keypad for allowing user input. It would have been obvious for a person having ordinary skill in the art to allow a user to select a link by a keypad on the mobile because it is obvious in Bickmore's system to select the links to the linked pages in order to access the desired content on the limited display of a PDA device.

8. Regarding claim 12, Bickmore discloses wherein the mobile device can be one of:

an Internet phone (col. 4, lines 43-50 and col. 13, line 47 -55);

a personal digital assistant (col. 4, lines 43-50); and  
a two way pager (col. 4, lines 43-50).

9. Reference to claims 13 and 14, Bickmore teaches wherein parsing the currently accessed Web page occurs in a network server and within a Web browser (col. 4, line 31-41).

10. Regarding claim 3, Bickmore fails to explicitly disclose wherein one of the one or more Web content data items comprises a telephone number. However, Kindberg discloses the web content data comprises a telephone number (pg. 3, 2.1). Having the teachings of Bickmore and Kindberg, It would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Bickmore by providing a link to a telephone number in order to enhance the system functionality disclosed by Bickmore.

11. Reference to claim 4, Bickmore fail to disclose the method of claim 2, wherein if one of the one or more web content data item is a telephone number and the corresponding at least one link indication is activated, the telephone number is dialed by the mobile device. However, Kindberg discloses wherein if one of the one or more web content data item is a telephone number and the corresponding at least one link indication is activated, the telephone number is dialed by the mobile device (see page 3, section 2.1). Having the teachings of Bickmore and Kindberg, It would have been

obvious to a person having ordinary skill in the art at the time the invention was made to modify Bickmore by providing a link to a telephone number and activating the link by dialing the number as disclosed by Kindberg in order to enhance the system functionality disclosed by Bickmore.

12. Regarding claim 5, Bickmore fail teach wherein one of the one or more web content data items comprises a street address. However, Kindberg discloses the web content data items comprises a street address (see page 5, 2.4) Having the teachings of Bickmore and Kindberg, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Bickmore by providing a link to a street address in order to enhance the system functionality disclosed by Bickmore.

13. Regarding claim 6, Bickmore does not disclose the method of claim 2, wherein if one of the one or more Web content data items is a street address and the corresponding at least one link indication is activated, displaying to the mobile device the location of the street on an online map. However, Kindberg discloses wherein if one of the one or more Web content data items is a street address and the corresponding at least one link indication is activated, displaying to the mobile device the location of the street on an online map (see page 5, 2.4) Having the teachings of Bickmore and Kindberg, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Bickmore by providing a link to a street address

and displaying the location of the street on a map as disclosed by Kindberg in order to enhance the system functionality disclosed by Bickmore

14. Regarding claim 7, Bickmore fail to disclose wherein one of the one or more Web content data item is an e-mail address. However, Kindberg discloses the Web content data is an e-mail address (pg.3, section 2.1). Having the teachings of Bickmore and Kindberg, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Bickmore by providing a link to an e-mail address as disclosed by Kindberg in order to enhance the system functionality disclosed by Bickmore.

15. Regarding claim 8, Bickmore fails to disclose the method of claim 2, wherein if the one of the one or more Web content data items is an email address and the corresponding at least one link indication is activated, initiating an email to the email address by the mobile device (pg.3, section 2.1). Having the teachings of Bickmore and Kindberg, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Bickmore by providing a link to an e-mail address and initiating an email by the mobile device when the link is activated as disclosed by Kindberg in order to enhance the system functionality disclosed by Bickmore.

16.



17. Claims 10 and 11, have similar limitations as claims 1-8, therefore, they are rejected under the same rationale as claims 1-8.

**It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968))**

### ***Response to Arguments***

18. Applicant's arguments filed September 24, 2008 have been fully considered but they are not persuasive.

19. The applicant argues on page 6 of the Remarks that Kindberg does not disclose "each link indication providing a link to a service through a wireless connection from the mobile device, and each service performing a service related to a type of Web content data item, for the Web content data item corresponding to the link indication". The examiner respectfully disagrees. Kindberg teaches the above limitations. The applicant correctly recognizes that Kindberg teaches that Veronica's PDA electronically picks up URLs for pages about the city itself and places within it that she travels through-the railway station, a shopping district, and a café-and it presents these to her as web links. Moreover the applicant argues that the specification discusses that "link indications are provided for the Web content data items parsed from a Web page". In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., link indications are provided for the Web content data items parsed from a Web page, Web content

data being telephone numbers, addresses and e-mails) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Moreover, the applicant argues that link indication are displayed by the mobile device to provide services such as dialing a phone number, display a map or sending an email. Again these limitations are not in claim. Therefore, Veronica's PDA sensing the links and allowing her to select them as she travels meets the argued limitations (p.3, 2.1). In addition on page 7 of the Remarks the applicant argues that Kindberg fails disclose "each service performing a service related to a type of Web content data item, for the Web content data item corresponding to the link indication". The examiner respectfully disagrees. Again the applicant correctly recognizes that Kindberg discloses that when Veronica calls up a Web page for Harry and clicks on a link marked "communicate" that telephone rings, and the telephone application pops up on her PDA (p. 3, 2.1). This "communication" link is information related to Harry and his Web page. Moreover the applicant argues that Bickmore and Kindberg both fail to teach all the limitations of claim 1. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In regards to claim 3, the applicant argues that Kindberg fails to disclose "a link indication created from a telephone number, which was parsed from a Web page". The

examiner fails to find these wordings in claim 3. Claim 3 states, "the method of claim 1, wherein one of the one or more Web content data items comprises a telephone number", which thought by Kindberg in page 3, section 2.1. In regards to claim 5, the applicant argues that Kindberg fails to teach Web content comprises a street address. The examiner respectfully disagrees again. Kindberg teach web content data items comprising a street address (page 5, 2.4).

In regards to independent claims 10 and 11, the applicant argues the same limitations as to claims 1 and its dependents. Therefore, examiner's arguments for the above claims apply to claims 10 and 11. Moreover, the applicant argues similar limitations in the dependent claims. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in the independent claims 1, 10 and 11. Dependent claims are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office.

### ***Conclusion***

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAHERA HALIM whose telephone number is (571)272-4003. The examiner can normally be reached on M-F from 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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